

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

MUNICIPALITY OF BAYAMON, et al.,

Plaintiffs,

v.

EXXON MOBIL CORP., et al.,

Defendants.

Case No. 3:22-cv-01550-SCC

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL AUTHORITY IN SUPPORT OF
PLAINTIFFS' OMNIBUS OPPOSITION TO DEFENDANTS' MOTIONS TO DISMISS
FOR FAILURE TO STATE A CLAIM**

TO THE HONORABLE COURT:

Plaintiffs, through their undersigned counsel, respectfully submit the April 21, 2025 decisions from the Superior Court of the District of Columbia in *District of Columbia v. Exxon Mobil Corp., et al.*, Case No. 2020 CA 002892 B, which are pertinent to the issues raised in Defendants' Motions to Dismiss, the Magistrate's Report and Recommendation, and the Parties' Objections to the Magistrate Judge's Report and Recommendation, as supplemental authority in support of Plaintiffs' Oppositions to Defendants' Motions to Dismiss and Consolidated Objections.

The D.C. Superior Court considered claims concerning the same conduct alleged here: namely, the District alleged that Exxon, Chevron, Shell, and BP, independently and through coordinated campaigns and industry front groups, deceived consumers about how their fossil fuel products warm the planet and disrupt the climate in a quest to drive profits through increased sales of gas and other fossil fuel products. *See Orders Denying Defendants' Motions to Dismiss,*

Exhibits A-D, respectively. Judge Williams denied Defendants' motions¹, finding, *inter alia*, that the District "diligently pieced together a decades-long story of deceit" and "more than plausibly alleged materiality." Exhibit C, at 23, 27. Judge Williams concluded that "[t]he District plausibly allege[d] that Defendants [] '...conceal[ed] and misrepresent[ed] the scientific understanding of the consequences of burning fossil fuels and increasing atmospheric concentrations of greenhouse gases.'" Exhibit D, at 18. Finally, Judge Williams held that "[a] jury could very well find that (1) [] Defendants understood the consequences of greenhouse gas emissions, and (2) funded, controlled, and participated in third-party associations that (3) misrepresented to the public that there was a lack of consensus on the causes and effects of climate change." *Id.* These are the same allegations the Puerto Rican Municipalities have made in the present case, and they are likewise "more than" plausible.

Respectfully submitted, this 30th day of April, 2025.

I, Roy L. Mason, certify that, on the above date, I filed this document with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to all counsel of record registered in the system.

By: /s/Roy L. Mason
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¹ Upon a careful analysis, Judge Williams dismissed just one of the District's claims, which alleged that BP's representation of a specific gasoline additive was misleading to consumers, and rejected all other attempts to dismiss the case.